

Friends of Puna's Future
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Sent by Email

September 30, 2009

Edmund Haitsuka, Chairman
Hawaii County Charter Commission
75-5706 Hanama Place, Suite #109
Kailua-Kona, HI 96740

Dear Chairman Haitsuka and Charter Commissioners:

The following is testimony from Friends of Puna's Future. We are a nonprofit group organized to support the citizens of Puna in deciding its future through consensus gathering and public advocacy. We propose the following three amendments to the Hawaii County Charter:

1. Amend the charter by adding new sections under General Plan (Sect. 3-15) and Planning Department (Sect. 6-7) to include community development plans and CDP action committees. The purpose of this inclusion is to strengthen and stabilize the role of the general public in contributing to community planning in their districts.

Friends of Puna's Future recommends charter language that incorporates the following provisions:

- a. Requires the general plan to be augmented once every ten years by a community development plan from each judicial district.
- b. Requires public meetings to be held at ten year intervals, under the guidance of the planning department and district action committees, for the purpose of gathering input from the residents in each district on planning of physical development in and around their communities.
- c. Requires that the existing CDP will remain in effect until such time as a new CDP, per decade, is adopted.
- d. Requires that all proposed amendments to a CDP after enactment are referred to the action committee for review and recommendation, and that all amendments require the approval of six council members.
- e. Requires that, upon enactment of each CDP by the council, an action committee, composed of residents from the CDP's district, shall be appointed in a timely fashion and functioning within six months, under the direction and guidance of the planning department. The action committee shall be a proactive community steward of the CDP's

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implementation and update, and responsive to continuous input from the communities in its district, enabling its communities to form their own committees for this purpose.

- f. Requires that all rezoning applications of lands within a district be reviewed by that district's action committee, who will make recommendations for the consideration of the planning director.
- g. Requires that all planning for development within a judicial district conform to the guidelines contained in the district's CDP. Where a CDP conflicts with the general plan, the planning director and council will deliberate on the efficacy of amending the general plan so that it reconciles with the public's intent as expressed when they designed the CDP for their district.

Community development plans have been created by action of the County of Hawaii. To have meaning as mandated, durable implementations of the people's expressed desires for planning, CDPs must be placed within the county charter, which sets forth the structure of government. Charter inclusion of CDPs will provide continuity and insulate the community voice from political games and special interests for at least a decade. A three year community effort should be allowed to stand and be remote from day to day or month to month persuasions.

Since the commencement of the CDP process, our communities continue to be wary that government is not listening to them. Over a year has passed since the Puna Community Development Plan was passed into law by County Council. We still have no Puna action committee to begin the implementation stage. FoPF believes this delay is due to unnecessary political maneuvering that could have been avoided if county government had been required by the County Charter to complete the appointment process in a timely manner. The delay has been demoralizing for the hundreds of community volunteers who worked to see that our Puna communities were involved in planning for Puna's future. Throughout the three-year process before the Puna CDP was enacted, our citizens were required to meet deadlines each step of the way. We should expect no less from county officials in fulfilling their responsibilities and do not want to witness a repeat of this delay when the CDP begins a new cycle in ten years.

Concern also exists within our communities that our CDPs, which become law under one council, will be repealed or amended into oblivion by another council. Our interest is that the intent of our CDPs be honored by adequate consultation with community residents before amendments are considered by the council. For a CDP to meet its intended purpose as an expression of the people's will, continuity is necessary to preserve public confidence in the integrity of each CDP.

While we understand that CDPs must be reconciled with the general plan, we expect our planning director and council to work together to find a way to meet the wishes of the community as expressed in their CDP while seeking conformity between the two documents in county policy decisions.

Rezoning applications also test the durability of CDPs. Unless CDP action committees play a meaningful role in the review of development proposals that alter the intended use of land, the integrity of CDPs is unnecessarily compromised.

By placing community development plans within the county charter, just as regional planning commissions are included in the charter, the residents of each judicial district will have fair opportunity to have their voices heard and acted upon, thereby strengthening planning island-wide.

2. Amend Special Meeting Notice Requirement Amendment (CA-9) to include requirement that proceedings of policy-making boards that are open to the public, including the council, leeward and windward planning commissions, and the charter commission, be live broadcast and made available on demand on the internet within a timely manner.

Friends of Puna's Future supports proposed amendment CA-9 and urges the Charter Commission to add the requirement that proceedings of policy-making county boards be broadcast to the public.

Few citizens take time out of their busy lives to attend public meetings, particularly those who live in places like the Puna District, its poor infrastructure causing difficulty in traveling to meetings in Hilo. The best way to keep citizens well-informed of government decision-making is to place as few filters as possible between citizens and that decision-making process. The more openness in government, the more opportunities are created to produce trust and cooperation with its citizens. The more transparency, the less opportunities are created for corruption or government actions which disregard the general public welfare.

In the past ten years, the internet has done more to generate public dialog about government activity than all other forms of media combined. Inexpensive technology is now available to make this public service affordable. A private individual managed to record Ms. Margaret Wille's testimony recently before your commission and put it on the internet for public viewing. For comprehensive coverage, FoPF supports broadcasting of public meetings as a government responsibility.

3. Amend the charter by adding a new section to establish an Open Space and Natural Resources Preservation Commission, along with a special fund under the same name, to be funded by setting aside annually 2% of property tax revenues solely for the purpose of acquiring island lands of high cultural, historical or recreational value for conservation and public use.

When the current mayor and council decided to balance the county budget by taking monies set aside to fund the 2% Land Fund initiative, a great disillusionment arose among Hawaii County's majority of voters who approved this fund to purchase open space on Hawaii Island. Friends of Puna's Future supports putting this issue again before the voters as a charter amendment, so that voters rather than politicians decide whether a portion of their tax dollars should be invested in open space on Hawaii Island.

A precedent for this amendment was created when Honolulu County voters passed a similar charter amendment using property tax revenues to establish their Clean Water and Natural Lands and Affordable Housing Fund. Voters in Honolulu County recognized the importance of preserving natural resources by providing constitutional protection from county budget cuts. We urge the Hawaii County Charter Commission to place this issue on the ballot and let the voters choose whether open space preservation deserves long-term protection from short-term economic concerns.

This concludes our amendment proposals. A representative of Friends of Puna's Future will attend the October 9th hearing in Hilo of the Charter Commission to bring these issues again to the attention of the Commission.

Mahalo for your consideration,



The Board of Directors
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